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Atty. Docket No.: 20563/1024B PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Rabiner et al.	Examiner:	Not Yet Assigned
Serial No.:	10/799,278	Group Art Unit:	Not Yet Assigned
Filed:	March 12, 2004		
Entitled:	Apparatus and Method for an Ultrasonic Probe Used with a Pharmacological Agent	Conf. No.:	Not Yet Assigned

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a**

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

David J. Dykeman

Name of Person Mailing Paper

Signature of Person Mailing Paper

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Enclosed for filing in the above-identified patent application, please find the following documents:

1. Information Disclosure Statement Under CFR § 1.97(b)(3);
2. Form PTO-1449 listing 128 references;
3. Supplemental Information Disclosure Statement Under CFR § 1.97(e);
4. Form PTO-1449 listing 4 references;
5. Copy of 1 non-U.S. patent; and
6. Return Post Card.

The Commissioner for Patents is hereby authorized to charge any fees to Deposit Account No. 16-0085, Reference 20563/1024B. A duplicate of this transmittal letter is enclosed for this purpose.

Date: May 19, 2004

Respectfully submitted,

Name: David J. Dykeman

Registration No.: 46,678

Customer No.: 29934

Palmer &amp; Dodge LLP

111 Huntington Avenue

Boston, MA 02199-7613

Tel: 617-239-0100



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David J. Dykeman

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**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §§ 1.56, 1.97 AND 1.98**

Dear Sir:

In accordance with the duty of disclosure under 37 CFR § 1.56, Applicant submits this Information Disclosure Statement pursuant to 37 CFR §§ 1.97 and 1.98 in the above-identified application for consideration by the Patent Office.

The present application claims priority under 35 U.S.C. § 120, to serial numbers 10/396,914; 10/373,134; 09/784,619 and 09/618,352, and all references cited in the parent applications should be considered by the Examiner. Under MPEP § 609, no copies of these references need be provided. The attached Form 1449 lists these references so the references should be printed on the patent.

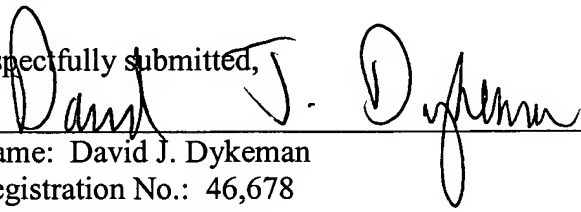
Pursuant to CFR § 1.97(b)(3), because this Statement is being submitted before the first Office Action on the merits, no fee is required.

Applicant does not intend to represent that any of the documents submitted herein are material prior art to this invention or that the list represents an exhaustive search of documents related to this invention.

Applicant respectfully requests that the documents submitted herein be considered and made of record in this application.

Date: May 19, 2004

Respectfully submitted,

  
\_\_\_\_\_  
Name: David J. Dykeman  
Registration No.: 46,678  
Customer No.: 29934  
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USPTO Form 1449 U.S. Department of Commerce  
 Patent and Trademark Office

Attorney Docket No.

20563/1024B

Serial No.

10/799,278

## INFORMATION DISCLOSURE STATEMENT

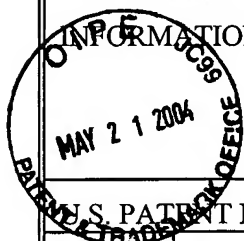
Applicant(s): Rabiner et al.

Filing Date: March 12, 2004

Group: Not Yet  
Assigned

## U.S. PATENT DOCUMENTS

Examiner Initial	Patent No.	Date	Name	Class	Subclass	Filing Date (if appropriate)
	2,990,616	July 4, 1961	Balamuth, et al.	433	119	March 8, 1955
	3,526,219	September 1, 1970	Balamuth	600	565	July 23, 1967
	3,565,062	February 23, 1971	Kuris	606	169	June 13, 1968
	3,805,787	April 23, 1974	Banko	604	22	June 16, 1972
	3,589,363	June 29, 1971	Banko	604	22	July 25, 1967
	3,861,391	January 21, 1975	Antonevich, et al.	606	128	March 20, 1974
	4,136,700	January 30, 1979	Broadwin, et al.	606	169	June 14, 1976
	4,236,510	December 2, 1980	Hatter, et al.	601	2	February 21, 1979
	4,474,180	October 2, 1984	Angulo	128	328	May 13, 1982
	4,486,680	December 4, 1984	Bonnet, et al.	310	323.19	March 4, 1983
	4,493,694	January 15, 1985	Wuchinich	604	22	May 25, 1984
	4,504,264	March 12, 1985	Kelman	604	22	September 24, 1982
	4,526,571	July 2, 1985	Wuchinich	604	22	October 15, 1982
	4,535,759	August 20, 1985	Polk, et al.	128	24A	September 30, 1982
	4,634,420	January 6, 1987	Spinosa, et al.	604	22	October 31, 1984
	4,838,853	June 13, 1989	Parisi	604	22	February 5, 1987
	4,867,141	September 19, 1989	Nakada et al.	601	4	June 12, 1987
	4,870,953	October 3, 1989	DonMichael et al.	128	24A	November 13, 1987
	4,886,491	December 12, 1989	Parisi et al.	304	22	February 29, 1988
	4,920,954	May 1, 1990	Alliger et al.	128	24A	August 5, 1988
	4,922,902	May 8, 1990	Wuchinich et al.	604	22	December 16, 1987



		4,931,047	June 5, 1990	Broadwin et al.	604	22	September 30, 1987
		4,961,424	October 9, 1990	Kubota et al.	128	24A	July 27, 1988
		4,962,755	October 16, 1990	King et al.	601	2	July 21, 1989
		4,989,583	February 5, 1991	Hood	128	24A	October 21, 1988
		5,015,227	May 14, 1991	Broadwin et al.	604	22	April 3, 1990
		5,017,379	May 21, 1991	Lemelson	424	450	August 4, 1988
		5,026,387	June 25, 1991	Thomas	606	169	March 12, 1990
		5,057,119	October 15, 1991	Clark, et al.	606	169	January 18, 1991
		5,057,182	October 15, 1991	Wuchinich	156	580.1	January 19, 1990
		5,059,210	October 22, 1991	Clark, et al.	606	169	December 12, 1989
		5,062,827	November 5, 1991	Wiksell	604	22	February 14, 1989
		5,106,741	April 21, 1992	Marotti et al	435	226	June 12, 1991
		5,112,300	May 12, 1992	Ureche	604	22	April 3, 1990
		5,116,343	May 26, 1992	Ams, et al.	606	128	August 28, 1990
		5,163,421	November 17, 1992	Bernstein et al.	128	24	December 12, 1989
		5,167,619	December 1, 1992	Wuchinich	604	22	May 25, 1990
		5,171,387	December 15, 1992	Wuchinich	156	73.3	May 10, 1991
		5,176,677	January 5, 1993	Wuchinich	604	356	April 27, 1992
		5,180,363	January 19, 1993	Idemoto et al.	202	32	December 23, 1991
		5,190,517	March 2, 1993	Zieve, et al.	604	22	June 6, 1991
		5,221,282	June 22, 1993	Wuchinich	606	99	October 21, 1992
		5,243,997	September 14, 1993	Uflacker et al.	600	565	September 14, 1992
		5,267,954	December 7, 1993	Nita	604	22	May 5, 1992
		5,269,297	December 14, 1993	Weng et al.	128	24AA	February 27, 1992
		5,271,735	December 21, 1993	Greenfield, et al.	604	266	October 29, 1991
		5,300,021	April 5, 1994	Wuchinich	604	22	August 20, 1992
		5,304,115	April 19, 1994	Pflueger et al.	604	22	January 11, 1991
		5,312,328	May 17, 1994	Nita et al.	604	22	July 9, 1992
		5,312,329	May 17, 1994	Beaty, et al.	604	22	April 7, 1993

		5,324,299	June 28, 1994	Davison, et al.	606	167	February 3, 1992
		5,334,183	August 2, 1994	Wuchinich	606	46	April 9, 1992
		5,342,292	August 30, 1994	Nita et al.	604	22	May 24, 1993
		5,358,505	October 25, 1994	Wuchinich	606	99	June 22, 1993
		5,366,490	November 22, 1994	Edwards, et al.	607	99	December 22, 1993
		5,368,558	November 29, 1994	Nita	604	22	June 3, 1993
		5,380,274	January 10, 1995	Nita	604	22	October 12, 1993
		5,382,228	January, 17, 1995	Nita, et al.	604	22	September 28, 1993
		5,397,293	March 14, 1995	Alliger, et al.	601	2	November 25, 1992
		5,397,301	March 14, 1995	Pflueger et al.	604	22	July 19, 1993
		5,405,318	April 11, 1995	Nita	604	22	September 28, 1993
		5,417,654	May 23, 1995	Kelman	604	22	February 2, 1994
		5,417,672	May 23, 1995	Nita, et al.	604	533	October 4, 1993
		5,419,761	May 30, 1995	Narayanan et al.	604	22	August 3, 1993
		5,427,118	June 27, 1995	Nita, et al.	128	772	October 4, 1993
		5,447,509	September 5, 1995	Mills, et al.	606	1	October 4, 1993
		5,458,612	October 17, 1995	Chin	606	192	January 6, 1994
		5,469,853	November 28, 1995	Law et al.	128	662.06	June 22, 1994
		5,472,441	December 5, 1995	Edwards, et al.	606	41	March 11, 1994
		5,478,558	December 26, 1995	Eibl et al.	424	94.63	April 28, 1995
		5,484,398	January 16, 1996	Stoddard	604	22	March 17, 1994
		5,498,236	March 12, 1996	Dubrul et al.	604	22	October 7, 1994
		5,516,043	May 14, 1996	Manna, et al.	239	102.2	June 30, 1994
		5,580,962	December 3, 1996	Eibl et al.	530	395	April 3, 1995
		5,603,445	February 18, 1997	Hill et al.	228	4.5	February 24, 1994

		5,628,743	May 13, 1997	Cimino	606	1	December 21, 1994
		5,630,837	May 20, 1997	Crowley	601	2	March 31, 1995
		5,672,172	September 30, 1997	Zupkas	606	20	June 6, 1995
		5,676,649	October 14, 1997	Boukhny et al.	604	22	October 4, 1996
		5,713,848	February 3, 1998	Dubrul et al.	604	22	June 7, 1995
		5,720,710	February 24, 1998	Tachibana, et al.	601	2	July 11, 1994
		5,725,494	March 10, 1998	Briskin	604	22	November 30, 1995
		5,728,062	March 17, 1998	Briskin	604	22	November 30, 1995
		5,735,811	April 7, 1998	Briskin	604	22	November 30, 1995
		5,741,225	April 21, 1998	Lax, et al.	604	22	January 23, 1996
		5,772,627	June 30, 1998	Acosta, et al.	604	22	July 19, 1996
		5,827,203	October 27, 1998	Nita	601	2	April 21, 1997
		5,836,896	November 17, 1998	Rosenschein	601	2	August 19, 1996
		5,836,897	November 17, 1998	Sakuri et al.	601	2	August 14, 1997
		5,843,017	December 1, 1998	Yoon	604	22	June 21, 1996
		5,846,218	December 8, 1998	Briskin, et al.	604	22	September 5, 1996
		5,891,149	April 6, 1999	Young et al.	606	80	June 26, 1997
		5,895,370	April 20, 1999	Edwards, et al.	604	22	January 7, 1997
		5,925,016	July 20, 1999	Chornenky et al.	604	96	September 27, 1995
		5,931,805	August 3, 1999	Briskin	604	22	June 2, 1997
		5,935,096	August 10, 1999	Barrett	604	22	July 10, 1997
		5,935,142	August 10, 1999	Hood	606	169	August 7, 1997
		5,957,882	September 28, 1999	Nita et al.	604	22	April 12, 1997
		5,964,756	October 12, 1999	McGaffigan, et al.	606	41	April 11, 1997
		5,989,208	November 23, 1999	Nita	604	22	May 16, 1997

[illegible]

## FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Publication Date	Country	Class	Subclass	Translation	
							YES	NO
		EP 0541249	May 12, 1993	EPO	A61F	9/007 R2		



OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

	PCT International Search Report for International Application No. PCT/US02/22517 dated October 18, 2002.
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EXAMINER	DATE CONSIDERED
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**\*\*Copies of references not provided at the time of this submission.**



Atty. Docket No.: 20563/1024B

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Rabiner et al.	Examiner:	Not Yet Assigned
Serial No.:	10/799,278	Group Art Unit:	Not Yet Assigned
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Entitled:	Apparatus and Method for an Ultrasonic Probe Used with a Pharmacological Agent	Conf. No.:	Not Yet Assigned

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a**

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David J. Dykeman

Name of Person Mailing Paper

Signature of Person Mailing Paper

**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §§ 1.56, 1.97 AND 1.98**

Dear Sir:

In accordance with the duty of disclosure under 37 CFR § 1.56, Applicant submits this Information Disclosure Statement pursuant to 37 CFR §§ 1.97 and 1.98 in the above-identified application for consideration by the Patent Office.

A listing of the cited documents, as well as, for the Examiner's convenience, copies of all foreign patent documents and non-patent literature are enclosed. This application was filed after June 30, 2003, and copies of U.S. patents and U.S. patent applications are not required and are not enclosed.

Pursuant to CFR § 1.97(e)(1), each item contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application or International application. Because this statement is being filed within three months of receipt of the Search Report, no fee is believed to be due. A copy of the Search Report is included and cited on the enclosed PTO-1449.

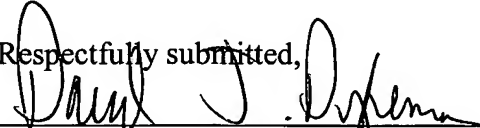
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Serial No.: 10/799,278  
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Page 2

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Name: David J. Dykeman

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Palmer & Dodge LLP

111 Huntington Avenue

Boston, MA 02199-7613

Tel: 617-239-0100

USPTO Form 1449 U.S. Department of Commerce  
Patent and Trademark Office

Attorney Docket No.

Serial No.

20563/1024B

10/799,278

## INFORMATION DISCLOSURE STATEMENT

Applicant(s): Rabiner et al.

Filing Date: March 12, 2004

Group: Not Yet  
Assigned

## U.S. PATENT DOCUMENTS

Examiner Initial	Patent No.	Date	Name	Class	Subclass	Filing Date (if appropriate)
	5,997,497	December 7, 1999	Nita et al.	604	22	June 18, 1997
	6,228,046	May 8, 2001	Briskin	604	22	March 3, 1998
	6,652,547	November 25, 2003	Rabiner et al.	606	159	February 2, 2001

## FOREIGN PATENT DOCUMENTS

Examiner Initial							

## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

	A	PCT International Search Report for International Application No. PCT/US03/09099 dated March 2, 2004
EXAMINER		DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

\*\*Copies of references not provided at the time of this submission.